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DEPARTMENT FOR SCA/INS
MCC FOR D NASSIRY AND E BURKE

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TAGS: [PGOV](#) [PREL](#) [PTER](#) [PHUM](#) [MOPS](#) [CE](#)
SUBJECT: ARBOUR CONCLUDES DISAPPOINTING TRIP TO SRI LANKA

Classified By: Ambassador Robert O. Blake, Jr., for reasons 1.4(b,d).

11. (C) Summary. UN High Commissioner for Human Rights Louise Arbour completed a five-day visit to Sri Lanka on October 14. UN Resident Representative Neil Buhne told Ambassador that Arbour was disappointed in the outcome of her visit and disturbed by the magnitude of the human rights problems in Sri Lanka. Arbour had hoped the GSL would approve a small OHCHR office with a broad mandate. However, GSL officials made it clear that the Government opposed both UN monitors and a new OHCHR office. Arbour's press statement at the end of her visit underscored the need for GSL action to address the human rights situation, especially in the context of the ethnic conflict. She said the "weakness of the rule of law and prevalence of impunity are alarming," and that there has been no "adequate and credible public accounting for the vast majority" of killings, abductions, and disappearances. Buhne told Ambassador that Arbour will likely report on her visit at the December 10 Human Rights Council meeting in Geneva. The outcome of Arbour's visit, while disappointing, is not a surprise. The GSL did not deviate from its standard script, denying the magnitude of the problem and refusing to consider international intervention. End Summary.

12. (U) UN High Commissioner for Human Rights Louise Arbour completed her visit to Sri Lanka on October 14. Arbour arrived on October 9 and met with several Government of Sri Lanka officials, political party representatives, religious leaders, and members of civil society during her stay. On October 13, she met with Tamil detainees at Welikade prison in Colombo who were engaged in a hunger strike.

Cold Reception from GSL

13. (C) UN Resident Representative Neil Buhne told Ambassador on October 14 that Arbour was disappointed in the

outcome of her visit and disturbed by the magnitude of the human rights problems in Sri Lanka. She had not expected to receive Government approval for a large monitoring mission, but had hoped the GSL would approve a small OHCHR office with a broad mandate, he said. As soon as she arrived, however, Human Rights Minister Mahinda Samarasinghe and other GSL officials made it clear that the GSL opposed both UN monitors and a new OHCHR office. Arbour noted that she had rarely seen such a wide discrepancy of perspective between the relatively rosy picture painted by the Government and the very negative assessment of most everyone else, Buhne said. Her meetings with civil society and human rights victims impressed on her the importance of improving the GSL's accountability and credibility on human rights, he said. Buhne added that Arbour believed the GSL had not completely ruled out the possibility of an OHCHR office in Sri Lanka, and would revisit the issue after the budget debates next month.

Arbour Makes a Strong Parting Statement

¶4. (U) Arbour's press statement at the end of her visit underscored the need for GSL action to address the human rights situation in Sri Lanka, especially in the context of the ethnic conflict. She noted that broader human rights issues, such as discrimination and exclusion, gender inequalities, and press freedom, are being "eclipsed by the immediate focus on issues related to the conflict," and are "deserving of greater and more focused attention." She said the "weakness of the rule of law and prevalence of impunity are alarming," and that there has been no "adequate and credible public accounting for the vast majority" of

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killings, abductions, and disappearances. She characterized the President's Commission of Inquiry into human rights abuses as "an ad hoc response to a series of particularly shocking incidents," and said it should "not be a substitute for effective action by relevant law enforcement agencies." Arbour warned that the Sri Lankan Human Rights Commission's "failure to systematically conduct public inquiries and issue timely reports has further undermined confidence in its efficacy and independence," and may cause it to "lose its accreditation to the international body governing these institutions." She urged further discussion on the relationship between OHCHR and the GSL and encouraged the GSL to endorse the International Convention for the Protection of All Persons from Enforced Disappearance and the Rome Treaty creating the International Criminal Court.

¶5. (U) Arbour's statement noted her disappointment at being unable to visit Killinochchi to convey to the LTTE her concerns about their violations of human rights and humanitarian law. She also expressed her concern about reports of serious violations by the Karuna Group and other armed paramilitaries.

Next Steps

¶6. (C) Buhne told Ambassador that Arbour will likely report on her visit at the December 10 Human Rights Council meeting in Geneva. He suggested that the U.S. wait to hear more from Arbour before publicly commenting on the visit or her efforts to establish a new office.

¶7. (C) COMMENT: The outcome of Arbour's visit, while disappointing, is not a surprise. The GSL kept to its standard script, denying the magnitude of the problem and refusing to consider international intervention. We doubt the GSL will revisit the issue of opening an OHCHR office after the budget debate. Instead, it is more likely that the GSL used this promise to stall for more time and escape additional criticism.

BLAKE